



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 27, 2006

Christopher J. Ward, Treasurer
National Republican Congressional Committee
320 First Street
Washington, DC 20003

Response Due Date:
February 27, 2006

Identification Number: C00075820

Reference: October Monthly Report (9/01/05-9/30/05)

Dear Mr. Ward:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a political committee which is established and maintained by a national political party, and any affiliated committees, from accepting contributions from a person or non-multicandidate political committee in excess of \$26,700 in a calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Schedule A of your report discloses an aggregate year-to-date total(s) for a contribution(s) received from "Dr. Dexter F. Baker," "Mr. Masoud Kamali," and "Mr. Parvin Sandi" which appears to be incorrect. Please amend your report to provide the correct aggregate year-to-date total(s).

-Schedule A supporting Line(s) 11(c) of your report discloses a receipt(s) from "Friends Of Ray Lahood," "Lucas For Congress Committee," "Radanovich For Congress," "Coble For Congress," "Moran For Congress," "Iowans For Jim Leach," "Friends Of John Peterson," "Committee To Re-elect Vito Fossella," "Gary Miller For Congress," "People With Hart," "Shelley Moore Capito For Congress Committee," "Committee To Reelect Trent Franks," "Schwarz For Congress," and "Hall For Congress Committee" which requires further clarification. For example, if this activity represents a transfer of funds, please indicate "transfer" on Schedule A supporting Line 11(c) of your report. If this activity represents a reimbursement for services provided to this committee, please indicate this on Schedule A supporting Line 15 of your report. Please amend your report to clarify the type of activity this receipt(s) represents.

-Schedule A supporting Line 15 of your report discloses a payment(s) from a federal candidate committee(s) for goods and/or services provided by your committee. 11 CFR §100.52(d)(1) states that "...the provision of any goods or services without charge or at a charge which is less than the usual and normal charge for such goods or services is a contribution." Examples of goods and services include equipment, supplies, personnel, membership lists and mailing lists. The term "usual and normal charge" for goods is defined as "...the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution." The usual and normal charge for services is defined as "...the hourly or piecework charge for the services at a commercially reasonable rate prevailing at the time the services were rendered." 11 CFR §100.52(d)(2)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided to the federal candidate committee(s) and explain the steps your committee took in determining the amount(s) charged. If your committee provided the goods and/or services at less than the usual and normal charge, the difference between the two is considered to be an in-kind contribution by your committee to the federal candidate committee(s) and is subject to the limits set forth at 2 U.S.C. §441a. (11 CFR §100.52(d)(1))

-Schedule A supporting Line 15 of your report discloses a payment from "UPGRADE FILMS" and "WKBW-TV." It appears this receipt was for goods and/or services provided by your committee. Pursuant to Advisory Opinion 1979-18, the sale/purchase price paid to a political committee could involve the receipt of a contribution from a purchaser if the purchase price exceeds the "usual and normal charge." The term "usual and normal charge" for goods is defined as the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution. Examples of goods and services include equipment, supplies, personnel, advertising services, membership lists, and mailing lists. 11 CFR §100.52(d)(1) and (2)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your committee provided the goods and/or services at more than the usual and normal charge, the difference between the two is considered to be an in-kind contribution received by your committee from a corporation and is prohibited subject to the limits set forth at 2 U.S.C. §441b(a)

-Schedule A supporting Line 15 of your report discloses a payment(s) from an organization(s) which is not a political committee(s) registered with the

Commission (see attached). It appears the receipt(s) was for goods and/or services provided by your committee. Pursuant to Advisory Opinion 1979-18, the sale/purchase price paid to a political committee could involve the receipt of a contribution from a purchaser if the purchase price exceeds the "usual and normal charge." The term "usual and normal charge" for goods is defined as the price of those goods in the market from which they ordinarily would have been purchased at the time of the contribution. Examples of goods and services include equipment, supplies, personnel, advertising services, membership lists, and mailing lists. 11 CFR §100.52(d)(1)

Please clarify whether your committee assessed the usual and normal charge for the goods and/or services you provided and explain the steps your committee took in determining the amount charged. If your committee provided the goods and/or services at more than the usual and normal charge, the difference between the two is considered to be an in-kind contribution(s) received by your committee from an unregistered organization(s) and is prohibited subject to the limits set forth at 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b).

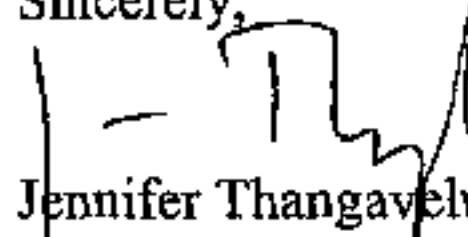
-Schedule B supporting Line 23 of your report discloses apparent in-kind contributions made on behalf of federal candidates. Separate entries are disclosed for each federal candidate receiving the in-kind services, and additional lump-sum entries are disclosed for the vendors providing those services. This method of reporting misstates your committee's activity by double counting the expenditures for in-kind contributions. Please be advised that in-kind contributions to federal candidates should be reported properly using the following method: payments to the vendor(s) should be disclosed as memo entries on Schedule B supporting Line 21(b) of the Detailed Summary Page, and the federal candidates receiving the in-kind services should be disclosed in separate non-memo entries on Schedule B supporting Line 23. Please amend your report accordingly.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather

than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1143.

Sincerely,



Jennifer Thangavelu
Campaign Finance Analyst
Reports Analysis Division

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Excessive Contribution(s) from Individual(s):

Contributor Name	Date	Amount	Report
Mr. Masoud Kamali	6/30/2005	\$25,000.00	Amended 2005 July Monthly, received 12/02/05
Mr. Masoud Kamali	9/20/2005	\$25,000.00	2005 October Monthly
Mr. Parvin Sandi	6/30/2005	\$25,000.00	Amended 2005 July Monthly, received 12/02/05
Mr. Parvin Sandi	9/20/2005	\$25,000.00	2005 October Monthly

Receipt(s) from Unregistered Organization(s) for Goods/Services:

Name	Date	Amount
GREEN FOR WISCONSIN	9/30/05	\$444.28
JOHN C. TORGERSON CAMPAIGN	9/30/05	\$31.73

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